C.A. 1007

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

Writ Petition No. 1807/2004

PETITIONER : Dr. Asharam Jayant S/o Shri Ramsingh e Jayant, aged about 43 years, ed occupation : Medical Officer, at Primary Health Centre, Salka Udaypur, Distt. Surguja, resident of Salka Udaypur, Distt. Surguja (C.G.)

Versus

RESPONDENTS : 1. State of Chhattisgarh Through : The Secretary, Health & Family Welfare Department, D.K.S.Bhawan, Raipur (C.G.)

2. State of Chhattisgarh Through : Under Secretary, Health & family Welfare Department, D.K.S.Bhawan, Raipur (C.G.)

3. Collector, Ambikapur Distt. Surguja (C.G.)

4. Chief Medical Officer, Ambikapur, Distt. Surguja (C.G.)

P.R. No. 1-1-82/04
Presented by Shri D.K. Vithalani
dated 29-12-04

RECEIVED COPY
29/12/04
Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

(22)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 1807/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	01-11-2004 Shri V.K. Pandey, Counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Akhil Agrawal, Panel Lawyer for the State. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred on the basis of false complaint made by some politician of the village Panchayat before the Minister. He also submits that the petitioner has been transferred from one naxalite area to another naxalite affected area. He also submits that petitioner's services have been allocated to the State of Madhya Pradesh but the same has been cancelled vide order dated 28-10-2002 Annexure-P/2. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered the facts and circumstances and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition	

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 1807/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law by a reasoned order as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law. Counsel for the petitioner submits that the petitioner has not been relieved so far. He prays for stay till the representation is decided. In view of the facts and circumstances of the case, it is directed that till the representation is decided, if the petitioner is not relieved, he be allowed to continue. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.1616/04 also stand disposed of. Certified copy as per rules. Gowri	Sd/- Fakhruddin Judge